

## **Town of Halfmoon Planning Board**

### **April 27, 2009 Minutes**

Those present at the April 27, 2009 Planning Board meeting were:

**Planning Board Members:** Steve Watts – Chairman  
Don Roberts – Vice Chairman  
Rich Berkowitz  
Marcel Nadeau  
Tom Ruchlicki  
John Higgins

***Alternate***  
**Planning Board Member:** Jerry Leonard

**Senior Planner:** Jeff Williams  
**Planner:** Lindsay Zepko

**Town Attorney:** Lyn Murphy

**Town Board Liaisons:** Paul Hotaling

**CHA Representative:** Mike Bianchino

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Mr. Watts opened the April 27, 2009 Planning Board Meeting at 7:00 pm.

Mr. Watts stated the following: Normally at this point the Board would make a motion to approve or disapprove the Planning Board Meeting Minutes from the April 13, 2009 Planning Board Meeting. Last week the Town experienced major computer system problems and therefore the meeting minutes were not completed. The April 13, 2009 Planning Board Meeting Minutes are tabled until the May 11, 2009 Planning Board Meeting.

Mr. Leonard sat in for Mr. Ouimet in his absence.

**Public Hearing:**

**09.031 PH Sabourin Subdivision, 29 & 33 Church Hill Road – Minor Subdivision/Lot Line Adjustment**

Mr. Watts opened the Public Hearing at 7:01 pm. Mr. Watts asked if anyone would like to have the public notice read. No one responded. Mr. Bob Wilkow, of Gilbert VanGuilder and Associates, stated the following: We are representing the Sabourin's who live on Church Hill Road for a lot line adjustment. Lot #33 is 0.24-acres and after a lot line adjustment it would become a 2.07-acre lot. Lot #29 is currently 9.0-acres and after the lot line adjustment it would be a 7.17-acre lot. Lot #33 is the parcel with an existing home, in-ground pool, garage and shed. The Sabourin's own both parcels and they have owned the house lot since 1963 and Lot #33 since 1978. Currently there is a retaining wall and tree buffer and they will extend the lot to make it large enough to include most of their out buildings. Mr. Watts asked if anyone

from the public wished to speak. No one responded. Mr. Watts closed the Public Hearing at 7:02 pm.

Mr. Nadeau made a motion to approve the Sabourin Subdivision minor subdivision/lot line adjustment. Mr. Roberts seconded. Motion carried.

Mr. Watts stated the following: Our next item of business is a public informational meeting regarding the Pan Am-Southern Railroad for their request for a commercial site plan. This is an intermodal and automotive rail yard facility. We expanded our notification to approximately 470 residents in the Town of Halfmoon. I believe the City of Mechanicville and the Town of Stillwater also provided information to their residents relative to this public informational meeting that is being held tonight. The railroad received some funding assistance from the State of New York and they proceeded to look into developing an intermodal and automotive rail yard facility. We have met on various occasions with people from the railroad to provide us with information. This commercial site plan proposal would also affect the Town of Stillwater and the City of Mechanical. Representatives from Stillwater and Mechanicville were also present at our April 13, 2009 Planning Board Meeting. Also with us tonight are Supervisor Richardson and Mayor Sylvester from the City of Mechanicville and Supervisor Wormuth from the Town of Halfmoon. There is a great amount of interest in what happens and the format that we are going to follow is they will give a presentation describing the rail facility and then we will have questions asked from the audience. Feel free to ask whatever questions you want and we will try to limit the questioning to about 5 minutes for each question.

**Public Informational Meeting:**

**09.029 PIM Pan Am-Southern Railroad, Round Lake Ave – Commercial Site Plan (Intermodal & Automotive Railyard Facility)**

Mr. Watts opened the Public Informational Meeting at 7:04 pm. Mr. Watts asked if anyone would like to have the public notice read. No one responded. Mr. David Becker, Assistant Chief Engineer of Design and Construction with Norfolk-Southern Railway Company, stated the following: I appreciate the opportunity to present the overview of our proposed project. Also present for tonight's meeting are several members of our design team and corporate staff. Between all of us we hope to be able to answer any questions that you may have. To get started I just want to go over briefly what Pan Am-Southern is. This is a new name that many of you have not heard of before. This is a joint venture that was formed between my company, the Norfolk-Southern Railway, and the Pan Am Railway who is the operator of the property you may have heard called the Boston & Maine Railroad that runs between New York State and across the State of Massachusetts. Part of this joint venture was the creation of a new intermodal and automobile handling facility for the Capital District. Just briefly I would like to show how Pan Am Southern relates to the larger Norfolk-Southern Transportation Network. The Norfolk-Southern Network is generally east of the Mississippi and we operate in 22 states and our transportation network feeds most of the major cities in the eastern half of the United States. The joint venture with Pan Am Railways to create Pan Am-Southern is an opportunity for us to extend our commercial markets in a competitive fashion into the New England States. On the economic side of things of what Norfolk-Southern is to New York State, we operate about 791 miles of railroad, we have about 374 employees, we pay about \$21 million dollars in payroll and \$8 million dollars in State and Local taxes. On an annual basis, last year our purchases in New York State and other payments totaled nearly a quarter of a billion dollars. Most importantly, for the transportation market and the users of New York State we provide a competitive balance in the marketplace. The Federal Surface Transportation Board approved the transaction to create Pan Am-Southern on March 10, 2009. As part of that approval

process, the Surface Transportation Board Section of Environmental Analysis reviewed the construction and operation of the proposed project and issued the formal National Environmental Policy Act (NEPA) for the transaction for the Environmental Assessment Document (EAF). This document contained the required environmental mitigations for the project and was issued on January 28, 2009. In response to some of the comments and questions we had at the April 13, 2009 Planning Board Meeting, I have put a map together that shows how Pan Am-Southern and the lines of Norfolk-Southern operate and relate to the Albany area, Capital District, Town of Halfmoon and the surrounding areas. Our line comes into the Capital District from Binghamton and we utilize the tracks of the Canadian-Pacific Railway up through the city of Schenectady up to a location called the Mohawk Yard in Glenville. From that point onward we continue to the east on tracks that are owned by the Canadian-Pacific Railway to Mechanicville. Norfolk-Southern and the Pan Am-Southern joint-venture both have what are known as trackage rights on this line that is actually physically owned by Canadian-Pacific. From Mechanicville the Pan Am-Southern Railway crosses the Hudson River and then progresses eastward toward the States of Vermont and Massachusetts and that track is fully owned by the Pan Am-Southern. The site that we are discussing is located just to the west of the City of Mechanicville. As for the perspective of the uniqueness of the site and why multiple parties are involved: The bulk of the facility is the Town of Halfmoon. Small portions of the property and the entrance will go into the Town of Stillwater on the north onto Route 67. The east end of the facility is located in the City of Mechanicville. Intermodal is the use of multiple modes of transportation to move freight from an origin to a destination. This usually involves the movement of a sealed shipping container. If the intermodal container is coming from import or export traffic, it travels on a container ship from overseas to one of the ports either on the east or west coast of the United States and then it is handled by train to the final destination for regional distribution by trucks. Intermodal freight is typically shipped in the United States on what is known as a double-stacked railcars where you would have two containers, one on top of each other. The containers do not have wheels and are placed on special railcars. These containers are unloaded at facilities that are purposely built for unloading of this type of equipment. Typically there is an overhead gantry type crane and it is a rubber-tired crane that straddles the track where the cars are and that is used to load and unload the containers. The containers are then placed on top of vehicle chassis with wheels and a frame for handling for regional distribution by truck. An intermodal yard has an unloading pad, a large paved pad area where the containers are set down and a gantry crane that is on top of the train that is being actively unloaded. In intermodal yards we also have truck parking where the trucks are staged waiting for pick-up. To go into some detail about what activities are going to be happening at the Capital District site; the first thing that is going to be happening is the unloading of inbound containers to trailer chassis for final regional delivery by truck. That entails taking a container off of a train and putting it on a truck chassis. The other component is loading of outbound containers delivered by trucks from local shippers to the rail facility for final handling of the long haul portion of their trip by rail. Another component of this project is load redistribution to make efficient trains on our network. That is when in an eastbound direction we would take double-stacked containers and convert them to single level trains to move eastward through Massachusetts and likewise in the return direction and the single level container trains would be brought into the facility and have Capital District originated traffic put on to create that second layer to then go on to other points west. The other component of this facility is an automobile handling facility. These facilities are also purpose built facilities that are used for the handling of newly constructed automobiles and this is for delivery of automobiles from either their assembly plant or their port of entry in the United States. These automobiles are typically handled in cars that with multi-level auto racks, which are cars that are tall cars that have metal grates on the side for security. They are

unloaded on tracks that are about 700 FT long so we could put a block of those cars there and an unloading ramp is used for drivers to drive the vehicles off the railcars. The facility itself is very straight forward and there is a large parking lot that would be a secured may then be loaded after they have been unloaded off of the railcars and then they would be loaded into haul trucks for regional distribution. Those are the kinds of trucks that you see handling automobiles going out to dealerships in the region. The facility would consist of a main track, a couple storage tracks in support of the facility, a lead track going into the facility and then on the right hand would be the fenced gated facility where you would see railcars and it would have high-mast lighting. This is kind of a typical view of what you'd see if you were just a casual observer standing at the end of Railroad and Sheehan Street in Mechanicville looking down toward our facility. The project status is in the detailed design and permitting phase. The design and permitting for this project is under the direction of Norfolk-Southern's Engineering Department. We have enlisted HDR Engineering as our engineer of record. We have also engaged several local firms who have expertise in permitting and some of the utility and survey work. A commercial site plan application has been submitted to the Town. We are also in discussions with the New York State Department of Environmental Conservation (NYSDEC) and the Federal Army Corp. of Engineers (ACOE) over the required environmental permit applications that have to be filed to deal with issues of water quality and wetland mitigation. Those permits are currently in the process of being finalized for submission. The site is located on the area that was formerly the Delaware & Hudson and Boston & Maine Railroads Mechanicville Freight Classification Yard. It encompasses about 207-acres and 185-acres are located in the Town of Halfmoon. As you can see the Town of Halfmoon is the largest stakeholder and that is why we are in this forum tonight. It extends on the east from Viail Avenue in the City of Mechanicville westward through the former railyard site to just short of Coons Crossing Road on the west. Many people have asked "why locate on this site?" The primary reason is that the site is located directly on the Pan Am-Southern route from New York State into Massachusetts. To have an efficient operation for the efficient handling of freight into and out of the region, we need a facility that is on-route and that is a big driver here. Secondly the property is owned or controlled by railroads enabling us to move forward quickly with it. Thirdly the site had prior railroad usage and we feel this is pretty significant rather than convert existing green space into an industrial use to reuse this industrial property for a like purpose. We feel that appropriate railroad usage equals appropriate land reuse. Also significant is the length of the site. Finding a site anywhere in the country is difficult that is long enough to accommodate intermodal or any kind of rail operations. Trains on this line segment typically have the ability to run up to 8,000 FT long. That does not mean that every train operating here would be that long but we want to design our network for what the maximum capacity is elsewhere in our transportation system. This site allows us to bring a train of that length into the property to have it routed into the facility and not block the road crossings at Coons Crossing on the west or Viail Avenue on the east in Mechanicville. Also important is that this site was initially developed in 1850 and has been used and developed over the years. It is generally classified as uplands and this allows us to create a facility here with a minimal amount of stream or wetland impacts. The site also has very good natural buffers and limited public access both of which are important from the perspective of the public in screening the facility but also it benefits the operation from a security standpoint. The intermodal portion of the facility is shown on the plans in the dark green and that is going to consist of two unloading pad tracks each of which are going to be about 4,000 FT long. There is also going to be 371 tractor-trailer parking spots provided adjacent to the unloading area. The automobile unloading ramp ais shown on yellow on the plans is going to have a capacity for 690 automobile parking spots and it would have two unloading tracks each of which can handle 10 cars for a total capacity of 20 automobile cars at maximum usage. Both the intermodal and

auto facility are going to be paved in either asphalt or concrete. Other elements of the facility that would be supporting the operation are 3 support tracks located to the south of the site, which would each be 4,000 FT long. We are relocating the Canadian-Pacific Railways main track. Currently the Canadian-Pacific track traverses the center of the site and this is a carryover from its prior usage of the site before the original classification yard was downgraded. To effectively use the property we need to move that track out of that main area. We are also going to build a new passing siding for the Canadian-Pacific adjacent to the facility to facilitate operations in this area. The buildings that are going to be related to the project are five single-story building. They're all very small buildings and will have a total square footage of about 5,700 SF. The largest building that we have anticipated is approximately 28 SF x 50 SF. Again, they will all be single-story buildings. One of the key things for an auto and intermodal facility is a secured gate area. The traffic that moves through these facilities is high value and the railroad places a lot of importance on protecting that traffic. We don't want people just coming in and out of our facilities so we always create a secured gate area. We are also proposing to build a new main access road from Route 67 and there would be a private bridge over the Anthony Kill that would be constructed to New York State Department of Transportation (NYSDOT) standards. We are in the process of working with the NYSDOT on the road access from Route 67 and we have made an initial submittal and the location that was chosen was specifically chosen based on traffic studies and safety studies that were done that concluded it to be the most appropriate location along Route 67 and that is in process. The secured gate area is configured in a way that would allow for up to 15 trucks to be held outside the facility off of Route 67. A concern that the Planning Board raised at the last meeting was how we would handle the situation if a truck could not get through the gate and the facility incorporates that into its current design so we would not be blocking traffic on Route 67. We are also proposing an emergency access point from the corner of Railroad and Sheehan Street in Mechanicville that would be used for emergency access only as a gated secondary access. There are a lot of folks in the community that were in this area when the Mechanicville Classification Yard existed and there are a lot a people who do not have familiarity with what we are currently doing on the railroad. What we are proposing is not a gravity or what they call a hump railroad classification yard. That is what previously existed at the site but in no way, shape or form are we building anything to replicate that. All cars that will be handled would be handled to a full stop with a locomotive attached. This site is not going to be a locomotive fueling, servicing or repair facility. The former Mechanicville Yard had 2 locomotive repair shops and this facility will have none of that. It is not a bulk commodity transfer facility and we will not be bringing in bulk commodities such as; sand, salt, grain or anything like that and trans-loading it in this facility. Very importantly for New York State this is not a containerized municipal waste transfer facility. The railroads do haul containerized municipal waste but that is not something this facility is being designed for and it will not be handling that kind of material. In summary; the facility would be used only to load or unload intermodal or automotive railroad equipment. At the last meeting the Board had a lot of questions about the hours of operation and after we left I realized that some of the answers that I had given were not clear and I want to make sure that we are all on the same page. The railroad operates 24 hours a day. Freight trains operate on this route 24 hours a day. The facility will also be operational 24 hours a day but that does not necessarily mean that there would be activity during those hours but there is the potential to have activity during those hours. The automotive component of the facility would only be functioning during the daylight hours. We are not equipping the facility with lights to unload automobiles at night. Although the facility has a potential to have activity 24 hours a day, it is very important to note that about 84% of the truck volume that would come and go from the facility is projected to occur between 7:00am and 10:00pm. This is based directly on our current load distributions that we have at

our other facility we currently operate with the Canadian-Pacific at the Port of Albany which is very reflective of the traffic mix in the Albany Capital District market. A vast majority of that percentage that is during non-nighttime hours is handled during the peak AM and peak PM periods. As far as train traffic volume; in 2007 when the studies and all the analysis was put forth, the Pan Am Railway averaged about 3.4 trains in each direction per day. We are projecting that if business continues to stabilize and grow that by 2012 the line would see about 4.7 trains per day each way. So this would be a little less than an additional train and a half each way on average. An important thing to note is although there is this volume of traffic going by this site, only two pairs of trains a day would actually be stopping at the site to do loading or unloading. There is a pair of trains that typically would be arriving at the facility during the daytime hours and there would be a pair of trains that would be arriving during the nighttime hours; one in each direction. The truck traffic volumes that are estimated for the facility are for 2012 and they are based on our projection of market share, existing traffic and growth patterns. We would have a total of 334 one-way trips per day and that would be 167 round trips for a truck. Of that about 310 of those trips would be by tractor-trailers and about 24 of those trips would be by auto transport trucks. When the traffic study was done, it was determined that the peak AM would have about 42 of these moves and the PM would have 33 in the peak hour. As you can see there is volume but it is not a tremendous volume. The direct facility employment we anticipate to be about 40 to 60 during the year and a half of construction. Once the facility is operational at a 2012-projected volume we would probably have up to about 84 employees involved with the operation. Those employees would be working on a variety of 3 shifts. As we sat down to look at how to properly design this facility, one of the key things was how do we most efficiently use the available site footprint. There is a lot of property out there and rail facilities take a large footprint. It is a balancing act of how to fit our needs of our operation onto the available parcel. No parcel comes perfectly sized to fit in any project. So there was a lot of discussion on how to efficiently use that acreage. Secondly and very important was how to develop an appropriate access route for trucks. Currently the former Classification Yard Site had access from the City of Mechanicville, which would have routed trucks down city streets, and we immediately determined that that is not an appropriate way to handle trucks in and out of that facility. That is what led us to look at a totally new access point off of Route 67, which is a road that is capable of handling truck traffic. Another piece of the strategy was that we wanted to create the ability for the trains of Pan Am-Southern, who would be using this facility, and the trains of the Canadian-Pacific Railway that also pass this site, to pass without conflict. We don't want to increase any kind of delays or any kind of conflicts that might happen in the City of Mechanicville. We planned the current layout to accommodate potential long-term expansion. As you saw on the plan, there are some notes that say "future intermodal" and "future auto" and this is long-term. This is nothing that we are planning to do in any portion of the foreseeable future but it always makes sense to plan out, if you are doing a large project like this, what you are going to be doing for future so that you don't have to come back and significantly change the environment that you created. We also wanted to minimize direct environmental impacts and preserve the existing buffers to the Anthony Kill and to minimize delays at the adjacent grade crossings. The trains coming eastward and westward would have the ability to enter the yard using what we call on the railroad, power switches, where a train dispatcher can actually route a train onto a track or into a yard so that they train does not have to stop, does not have to have a man get on the ground and go over to manually throw the switch to go into the facility. Both ends of the facility would be equipped so that trains can enter the facility at up to 25 mph and efficiently get in the yard and avoid delays at Coons Crossing Road or Viail Avenue. I think we tried to proactively design for likely concerns. Norfolk-Southern has built over 34 intermodal and 16 auto facilities in the past 15 to 20 years. We go into sites and we understand that we're not a common neighbor,

but we know what issues we may need to address. So right from the start we took a proactive approach to look at what we could do to mitigate some of those concerns. We have met with the Town's Planning Department and we also met with some residents of the Fairway Meadows area to seek input on how to proactively design things and try to put the best face on the project as a good neighbor. I would like to go into some of things that you have identified as key design considerations and things that we knew going in were going to be issues that need to be properly addressed. First and foremost lighting is a significant component of any new development; be it a new Wal-Mart, Lowe's, a gas station or McDonald's. Lighting is a key thing and we recognize that. We had a comprehensive lighting design study performed by Holophane. Holophane is one of the leaders in the industry and is a nationally recognized lighting company. They perform studies and guidelines with the Illuminating Engineering Society of North America. So there has been a formal lighting study done. We varied the level of light over the site to match the need of specific area. However, we do have certain minimums that we need to meet for the safety of our employees and for the safety of our operations. The minimum level is 1/2 of a foot-candle. To achieve that minimum level, we have average light levels across the lot of between 2 to 3-1/2 foot-candles for the intermodal pad and auto handling areas and there are some portions of the secured gate area where we do have up to 6 foot-candles at the gate. A typical commercial property such as a major retail center would have foot-candle levels of between 5 to 6 in the store areas and the store parking lots with a lot of up lighting to illuminate buildings to highlight their usage. That is not something we're going to be having and we would just assume that people don't know that we are here. We want to be an invisible neighbor as much as possible. We're going to utilize high pressure sodium bulb which provide that soft yellow color verses other types of bulbs which would be more of a harsh white light. The lighting would be in use from dusk to dawn. At the previous meeting someone asked if the lights were going to be on 24 hours a day. I responded yes, but they are not going to be on during day and they would be geared to only be on during the needed hours. The intent is to use high-mast towers to light the body of the facility. We are going to have 13 towers spread over the 4,500 FT long length of the pad area and then we would supplement that in some of the entrance areas with 40 FT poles with other low mass type lighting. The areas that are going to be lit are basically the body of the facility. Our lighting will not extend westward out to Coons Crossing Road. It would be focused on the area where we have the most activity and where we have people on the ground working. To minimize light pollution we are only going to utilize downward full cut-off fixtures. A full cut-off fixture has the kind of lighting where you cannot see the bulb if you were standing next to it. The light is up and in it and light projects down from the fixture. Typical street lights have an illuminated globe that is below the body of the light fixture. That is why a typical security light would be visible. Full cut-off fixtures eliminate upward and side light pollution. There is light bleed from non-cutoff fixtures and the cutoff fixtures provide a very distinct cone of light that is directed at the area that you are trying to illuminate. The high-mast towers are a very critical thing. We're also going to utilize full cut-off fixtures on the high towers. We are not utilizing sideward facing stadium lights. These are not intended to throw light onto a surface like you have at a high school football field. Our lights are designed to downward illuminate and light a specific area. Traffic is another key thing that we knew we had to take into consideration. Also it was a very important concern of the Federal Surface Transportation Board in their environmental assessment. As part of that environmental assessment process, they did a detailed traffic study, which was performed by the local firm of GMB. That study was done using NYSDOT analysis standards. Both current and 2012 traffic levels were model in this study and it is based on the traffic projections. Ninety percent of our traffic is destined to regional distribution points that are accessed off Interstate 87 (Northway) network. We would anticipate over 90% of the moves would be going to the Northway. On the main of Route 67 to the

Northway, which is taking Route 67 west from the site over to the new Round Lake Bypass, we anticipate no level-of-service changes. A level-of-service is the degree of traffic congestion that occurs and it is a formalized ranking of service conditions and there is no adverse level-of-service change found. How do we make sure that drivers take that route? That is the most efficient route for a truck to go to the Northway. It is our intention to post in our gate area, as the trucks exit, two important signs. One is that we would specifically route trucks on that route to the Northway. The sign would read, "truck destined to I-87 must use Route 67 west and the Round Lake Bypass". Likewise there would be a sign that unless a truck is destined for immediate local delivery that they will not go right on Route 67 and head into the City of Mechanicville. We do have some control of the drivers that come in and out of our facilities. We can direct them, we can train them and we can teach them; but as with any operation we also rely on law enforcement to enforce things that are in effect. We have had questions like "what if a trucker decides to go westward out of the facility and take the shortcut over Coons Crossing Road to Ushers Road to the Northway"? Well that is not an appropriate route and I think that is something that needs to be handled and policed on an appropriate local level. There is only so much that we can do to direct the drivers that come in and out. We will do our part if the community will also help with that portion of it. The third key element is noise. This is very significant and it was part of a key discussion we had today with many of the affected homeowners. The simple fact is that re-activation of this now vacant industrial site will result in additional noise sources. You cannot construct a new facility on a site that does not currently have use and not end up with additional noise sources. But there are ways that you can look at what is happening there and have a discussion about it and see what you are going to be doing. The environmental assessment documents gives an overview of some of the noise levels that are typically found. The scale is in "A" weighted decibels from 0 to 120. A midpoint range of about 60 is noise that you might find on an air conditioner, a normal voice, an automobile traveling at about 20 mph and suburban daytime general activity noise levels. As you move up the scale you get to more urbanized noise and such. The applicable Federal Guideline that the project was measured on requires that there be a 3 decibel increase in noise exposure as well as a 65 day-night noise level for classification as an adverse condition. The day-night noise level is important and this is going to be a facility that has potential to be in service 24 hours. When the study was done the data that was collected was based on a 24-hour day that placed 50% of the operation during daytime and 50% at night. Day-night noise level calculations allow the people doing the noise calculations to weigh a one-time noise event that occurs during the day as 10 times of that same event occurring at night. So if there is a lot of noise during the day, then the night noise study would be the same as having 10 of those events occur. That is how you come up with a day-night noise level. A 65 on an "A" rated decibel range it is in a range of normal voice and automobile traveling about 40 mph or an area that is a daytime urban environment. The Surface Transportation Board section of environmental analysis performed an independent noise analysis as part of the environmental assessment. The information that we are presenting was done by an independent party. We provided them the operational data; the number of trains and the number of events. The analysis was done by an independent party using standard noise modeling software. The level of increase that they determined was found to not be adverse per the applicable guidelines. There are a limited number of folks that live primarily along Route 67 west of the facility who may now experience a maximum noise level, which is greater than 65 decibels, that day-night average level, due to the increased highway traffic. However, they would not be subjected to a noise exposure increase of more than 3 decibels for any typical event. Some residents who live above the facility, particularly on Fairway Drive, may experience a noise exposure increase of more than 3 decibels for a single event. However, the proximity of those receptors to the noise source places them outside of the 65 decibel boundary. When you take those together, which are the

applicable guidelines, the greater than 3 decibel increase and the greater than 65 day-night weighted noise contours you end up with the area of impact. That is how the project was determined to not have a significant impact as far as noise. That does not mean that there is not going to be increased noise, there would be some because we are re-activating it. But the volume that is typically heard would not be significantly increased. That being said, we still have looked at the site and tried to see how we could best develop it to reduce noise to the extent practical. One is to utilize natural buffers where possible. The trees are blooming today and obviously late spring, summer and early fall are optimal months up here for vegetation to be noise barriers. There is a little bit of reduction during the winter months when the leave cover is off. We would certainly do our best to maintain that natural buffer where possible. As part of this strategy we are relocating the main track and the siding to the south side of the site. This may be a little bit counter-intuitive but by moving those tracks to the south side of site to the base of the hill we actually reduced some of the noise that would travel upward if these same tracks were on the north side of the site. The hillside provides somewhat of a natural barrier. The intermodal, auto ramp tracks and storage tracks are configured so that the blocks of cars that are set off and picked up can occur at the west end, which would place the locomotives and the trains doing those activities beyond the area that is directly below the Fairway Estates property. That would place it farther to the west in an area that is more sheltered. The gantry cranes that we are going to be using are the most modern equipment we can get and they are equipped with the most effective noise suppression equipment that can be applied to those machines. We are going to do everything we can to limit equipment idling, we are going to limit the use of backup alarms on trucks to the extent that we can and be in compliance with Occupational Safety & Health Administration (OSHA) guidelines. Some of this can be done by how you route trucks through the site so that you can eliminate some of the backup moves that might have to take place. Water quality is also another key design. This was also part of the environmental assessment and some of the mitigation requirements that were placed upon us. We are directly involved with the water quality issues. We will meet all required New York State and Federal regulations related to stormwater management. We will use the New York State stormwater guidelines to design the facility and those have been incorporated. Stream and wetland impacts would be reviewed by the NYSDEC and the U.S. AEOC and appropriate mitigation measures implemented. We can't do anything until we get our necessary Federal permits for the wetlands process. That mitigation requirement was something we knew we were going to have to do anyway. Appropriate pollution control devices and pretreatment will be installed and used in the equipment servicing areas. We've specifically designing this facility with an area in the facility that we call an equipment maintenance pad where our large cranes and any of the other equipment is used on site. If the equipment needs to be fueled, washed or any other activity, that would take place in a contained area that has appropriate drainage and that is tied into appropriate water quality systems such as oil and water separators. Another question that has been raised is about security. Security is very important from our side of the equation as well. We want to keep our place as secure as possible. As I mentioned earlier, we have valuable cargo and our customers demand that we keep it secure. The facilities; the auto ramp and the intermodal area would have perimeter fencing. There would be a controlled entry and exit both at the main gate, the emergency access gate and at the track entrance into the intermodal pad and into the auto unloading area. The security issues would also include surveillance cameras on key points and on the perimeter fencing. The Railroad Police would inspect the site; both Pan Am Railway, the Canadian-Pacific Railway and the Norfolk-Southern Railway police are active in the area. They work to protect our shipments and work with local law enforcement agencies in a close partnership. Also, there were some operational safety issues that have been raised. The facility would operate in full compliance with all Federal Railway Administration (FRA), which is the Federal Government

Agency that regulates railroad operations. All FRA rail safety regulations, as well as all U.S. Department of Transportation material handling requirements for any of the trucks leaving the site. Norfolk-Southern and Pan-Am Southern place strict limits on the commodities that are accepted as intermodal cargo to proactively minimize risk exposure. Bottom line, we don't accept HAZMAT material for intermodal shipments. The facility would have both an operating and safety action plan, which all of our facilities, have and we would also partner with the local emergency responders and provide them copies of the Railways Emergency Planning Guide. In summary of our operational safety issues; as was said before Norfolk-Southern is an operator of 50+ intermodal and auto facilities across our network. We are a recognized industry leader in safety at both of these facilities and our operations as a whole. I am confident that we can provide the community with a safe operation. Public utilities are something that also been discussed and I would like to address how we are doing that. Electric service for the site would be by New York State Electric & Gas (NYSEG) and they would be the provider for that site. We would be on a sewer system and the buildings would be connected to the Saratoga County District #1 Sewer, which runs through the northern portion of the site. The water for the site was previously served by the City of Mechanicville, but the feasibility of being served by the Town of Halfmoon system remains under consideration. Coordination of service discussions are underway between Hillcrest Fire District and the City of Mechanicville. We are confident that appropriate services can be provided. We had several questions at the last meeting in regards to rail highway grade crossings and the impact of the project. Again, the Surface Transportation Board environmental assessment looked at grade crossing impacts across this project using standard Federal Highway Administration Guidelines. In the vicinity of the proposed facility was anticipated that driver delay would only be minimally increased at Vial Avenue and downtown Mechanicville. Some of the track configuration that is going to be incorporated in the facility that would actually improve the throughput past the site, which would actually slightly reduce the impact at Ushers Road and Coons Crossing locations. The crossing both east and west of the facility already have flasher and gate equipment and the suitability of this equipment and its operation as well as its inspection are items that are regulated by both the Federal Railway Administration and the NYSDOT. As I mentioned, they are all equipped now and the suitability of those installations are really beyond the discussion we are having here regarding this facility. In summary it is our belief that this project would be a positive economic driver for the involved communities, Saratoga County and the Capital Region as a whole. It is also our belief that by using proactive design elements, the project would be constructed in a manner that reduces direct impacts to the community. Without question, we are a new neighbor coming in and you can't go from nothing to something and not have an impact but there are definitely ways that you can go about creating the project so that you minimize those impacts. Mr. Watts stated the following: The format that we'll follow tonight is that if you wish to speak, raise your hand and give your name and address. Before I open the public informational meeting to the public, I would like to ask Mr. Becker about a meeting he referred to that was held with residents of Fairway Meadows and asked who set up the meeting and where was it held? Mr. Becker stated the following: The meeting was held at the home of the Amato's located at 11A Fairway Drive. We had been approached after the last meeting that the residents had detailed questions about the project and we offered to meet with them. Fairway Meadows does not have a Homeowner's Association (HOA) so they volunteered to open their home to us to talk about some of their very specific site view issues that they had. Mr. Watts stated thank you for doing that but this is why we sent public informational notices to over 470 people and invited people from surrounding Towns. The concept of holding a public informational meeting before the full Planning Board is to get these issues out in the air. So, I would hope that those issues get discussed again and this is the proper forum. Mr. Becker stated the following: One reason why we were very eager to meet

with them is that being private property, we were unable to go to their backyards and see through their eyes the concerns that they have. We wanted to be able to do that and give them an accurate response to them. Mr. Watts asked who many people were at the meeting. Mr. Becker stated about 20 or so. Mr. Watts asked if anyone from the public wished to speak. Mr. Paul Hotaling, 18 Camber Court/Fairway Meadows, stated the following: We have approximately 1,200 kids in the school right above the site and asked if they had done any impact study on air quality or what might be an impact towards a hardship for the school? Mr. Becker stated the following: I am aware of where both the elementary school and high school are located up above the site. As part of the studies that were done by the school site was taken into consideration during that process. I was not directly involved with that process but understand that was not found to be an issue. Mr. Hotaling stated the following: These studies that you have been talking about; you are saying 50% business during the day and 50% at night. What scale is that on and is that 100% of your business? You are talking about 700 parking spots for cars and 300-container area. Mr. Becker stated the following: When we prepared to design the facility, we looked at projections of the market and what business we're trying to handle. The facility is sized for the volumes that we anticipate to have in 2012. The reality is the economy has definitely hurt things like it has everywhere. The facility is still going to be built to that basic level because business is going to come back and we need that to be an economic driver but that is what the facility was sized for; the planned anticipated traffic for 2012. Mr. Hotaling stated you had talked originally at the last meeting about approximately 80 jobs to the area and asked would the 80 jobs be at full buildout? Mr. Becker stated the following: That would be 84 jobs, which is projected in the documents and that is a projection at full buildout. Obviously you would hire a level that is appropriate for the volume of traffic that you have but at a full buildout operation we anticipate there would be 84 jobs. Mr. Hotaling asked would you be closing other sites to make up the business here? Mr. Becker stated a portion of that would be new and a portion potentially could be coming from other locations that would be displaced because we do have traffic at other sites. Mr. Scott Houle, 36 Johnson Road, stated the following: I am the Chief of the Hillcrest Fire Department that would be covering most of this district and I would like to make a correction to what has been stated because we have not been contacted. I received a phone call on Thursday that lasted between 5 to 10 minutes just asking me if I had been working with Mechanicville on this. We have not spoke to Mechanicville Fire Department on this and this is the first we are hearing about this project. I also spoke with one of the Chiefs from Stillwater, Arvin Hart, who is going to be covering the northern end of this project and they also said this is the first time they are hearing about any of this. I do have some issues with the proposed emergency access to the site as well as the school's emergency access, which goes down to Elizabeth Street Extension is going to be coming into this. I think that somebody needs to talk to the emergency services about what is going on here. Mr. Watts stated the following: At the last meeting the possibility was brought up regarding different parts of the yard that are in Mechanicville and Halfmoon but are within the Hillcrest Fire District. Mr. Houle stated the majority of the site is in the Hillcrest Fire District. Mr. Watts stated the following: Yes it is in your district, and they should contact the various fire departments' emergency service. It was also mentioned about ambulance service to see that this is done. That is what was mentioned two weeks ago. I would assume that you are in the process of doing that. Mr. Becker stated the following: This is my understanding yes and if the information that I received is incorrect I apologize. We were advised that there had been discussion between the two fire districts. As I said to our knowledge the issue is not resolved yet and we have heard some of the comments that you have heard. We are very willing to have further engagement to look at some of these issues in detail. It was not my intent to mislead the public in any way but that was our understanding of what was going on. Mr. Watts stated the following: That's fine, it is two weeks later from the

meeting and I have spoken to a few people in your fire department and they mentioned that there should be discussions. What was mentioned was that everyone needs to understand where the actual jurisdiction lies and so that the best emergency care that you can provide is provided. So I suggestion that the you get together to do some talking. Mr. Houle stated yes. Mr. George Owad, 154 Pruy Hill Road, stated the following: I am representing Halfmoon Fire District #1 which is the governing body of the Hillcrest Fire Department. We technically haven't heard about this project yet in terms of an actual meeting. However, we would like to meet with you as soon as possible because there are a number of concerns we should discuss. I think an invitation should be put in to all the emergency services that provide help for that area. I think with your input and our input we probably could come together with a plan that is suitable for the district not only to protect our people but also the people that would be working in those yards. There are a number of things we want to do but I don't think this is the forum for us to discuss at this time. We would really appreciate you contacting us and to get this ball rolling. Mr. Becker stated the following: Again, we thought that contact had been initiated but we will set up a meeting as soon as possible. We certainly take the concerns that you have raised seriously. Mr. Robert Philip, 15 Crossing Blvd., stated the following: I am representing the Clifton Park-Halfmoon Emergency Corp. and I am the operation supervisor. To reiterate what the gentlemen from the two fire districts have said. We have not been approached in any of the planning process and we haven't met with any of the representatives. We do have some very specific concerns regarding access and our response time. With the primary access being located on Route 67 and Railroad Avenue, this causes significant delays to our response time from our main station. We are looking forward to meeting with you. Mr. Becker stated the following: We will make contact with you tomorrow and we will schedule a meeting. I request that we schedule a good working meeting with all of the involved parties. Chief Waldron with the Mechanicville Police Department stated the following: I would like to say that I have had communications with the railroad regarding law enforcement and they have been very cooperative as far as setting up interviews and sending out applications to actually staff the facility with Railroad Police. They are currently hiring one person and I believe they have worked themselves down to a resident in Halfmoon who would be doing the security. We are working with them and we have offered our radio communications system so they can communicate with us if there is an emergency on the site. On the other end I would like you to know that at least law enforcement wise we are communicating with both of the railroads; the Canadian-Pacific who has a very active role in the city and the Boston & Maine RR that does the coverage there. A resident who resides at 16 Fairway Drive stated the following: We know the new intermodal facility is going to be a great addition to Halfmoon. Pan-Am and Norfolk-Southern are working to be really good neighbors. I was at the meeting today with Mr. Becker. I would like to go on record that many of the town home owners from 13 to 5 Fairway Drive met with the officials that Mr. Becker brought and we appreciate it. Those of us along that area of Fairway Drive want to express that if this were a football stadium; we would have the best box seats. What I am trying to say is the reason why we wanted to meet with the RR officials is to talk about mitigating some of the visual aspects of it. I just want to go on record that we are collaborating with them and giving them ideas and they will give us ideas back. We certainly in no way intended to go over the heads of the Planning Board by any means. We are just informational people trying to get some of that information and we are very pleased that they are taking our ideas and they will get back to us. Mr. Ted Jean, 31A Fairway Drive, stated the following: I would like to thank the Board for sending the letter out because prior to that letter I knew nothing about the reactivation of train yard. Also, I knew nothing about the private meeting at 11A Fairway Drive. There is no HOA and these townhomes are all privately owned so the people you met with today do have concerns but they are not to be considered the concerns of all the people in the townhouses. My concerns are that I am worried about

lighting, noise, hazardous material and you covered all of those under the guidelines of Federal and New York State Agencies so you are meeting the guidelines. My request to the Board for the quality of life is to not go 24/7 and to cut out the evening times and to cut out Sunday times. The facility is going to come in and the Town could use the railroad but why go 24/7? Why not give Sunday back to people, why not stop at 10:00pm at night and start up at 6:00am in the morning? Mr. Becker stated the following: We certainly realize that the residents that we met with today do not represent the entire community in the Fairways. The residents that we did meet with are the people directly impacted by the site. We also realize that there is no HOA and we are certainly not trying to construe the opinions of a few residents to do that. We were just trying to gather facts. Mr. Jean stated as long as you use it as additional information and use this body as our forum. Mr. Watts stated the following: I don't want dwell on that because certain things are done that are well intentioned and this is the Board that is to hear it. If in hindsight I would think that we certainly would have known about the meeting and would have had some input. Be that as it may, that is over with and I'm not going to discuss that further. Mr. Glenn Millis, 15C Fairway Drive, stated the following: I also did not know about the meeting and I would of liked to attend because I am brand new in the neighborhood. You said that the air quality issue was addressed by the environmental assessment. Mr. Becker stated yes it was. Mr. Millis asked if it is that public record? Mr. Becker stated yes it is and it is available on the Surface Transportation website and the Planning Board has copies of all public records Mr. Millis asked if there would be a lot of digging construction in that facility in that old rail yard? Mr. Becker stated that is correct. Mr. Millis asked if core borings and soil samples have been taken to determine the extent of the previous use contaminating the soil and to make sure when you disturb the site there is not some other issue? Mr. Becker stated the following: Yes there has. Both from a standpoint of hazardous material from the prior use on the site has been fully vetted and from a construction standpoint; emissions were also part of that document. Mr. Millis asked so those materials that may have been there are going to be moved prior to this facility being built? Mr. Becker stated if any were encountered, they would be handled in all ways that are appropriate under New York State Law. Mr. Millis asked have the samples been taken and assessed? Mr. Becker stated yes and there was nothing found that was problematic. Mr. Watts stated that site was not marked with any En-Con hazards. Mr. Becker stated the following: There has been a full document review search of all the previous usage. Yes, you know it is a valid question for a former rail use site and the records have all been reviewed by a qualified professional. That is not my area of expertise and I am going to rely on the professionals to do it. Mr. Millis asked when the track is relocated how close would it be to the bank down below. Mr. Becker stated the following: It would be at our property line and our property line runs along the bottom of the bank and I believe it is approximately 40 to 50 FT from the line of property Mr. Millis asked in the noise assessments that were done did it take in account the fact that you are moving those tracks. Mr. Becker stated the following: Yes. I would like to clarify that on all of the studies that were done were based upon the facility footprint that is here and the 24-hour operational clock. So all the noise and studies that were done took into account those issues. It also took into account the footprint and the footprint that was used was then utilized by the analyst to base on the model. Mr. Millis stated the following: I would just like to make a comment on the noise assessment. In those guidelines of an additional 3 decibels and all these things are really occupational issues for health hazard and detriment to hearing. They really don't take into account that it is just going to be a nuisance noise that people are going hear. Yes, there is not going to be an issue with hurting somebody's hearing or their health but there is going to be a lot additional noise. Mr. Becker stated again, the study as it was done takes that into account of what is considered under the guidelines to be a nuisance noise. Mr. Pete Boespflug, 3C Fairway Drive, stated the following: Thank you very much for this meeting tonight. You mentioned environmental

control of water quality but I want to follow up with what the gentleman just talked about, which is air quality. You're moving the track to the edge of the hill, closer to the elementary school where you have hundreds of diesel fueled trucks coming in when school is starting and in the afternoon when it is ending. I would like to request the Board to take a look at the impacts on the school with regards to trucks and trains idling. Mr. Becker stated there would be 300 trips per day. Mr. Boespflug stated the following: So that would be 167 round trips plus you have trains that run on diesel. There is new research out on the air quality negative impact of diesel fuel and I would like to request that another look be taken at that. I don't know what was factored in because I haven't gone on line to take a look at those studies. You should look at the wind currents and how much can be calculated as coming out of those trucks and trains when our children are going to school down there. Ms. Julie Stokes, Chair of the Board of Saratoga Plan, stated the following: We are a regional land trust open space smart growth advocacy group that have been working in Saratoga County in the City of Saratoga Springs for over 20 years. We currently own more than 3,400-acres in simple fee and easements throughout the County and we own portions of the Malta Trolley Line, which is on both sides of the Northway and also a portion of the Champlain Canal Towpath in Stillwater. The Town of Halfmoon was an early supporter of Saratoga Plan contributing towards our purchase of development rights for the Howard Reilly Farm on Ushers Road. Mr. Reilly's property spans the Zim Smith Trail, which is what I am going to be focusing on. For the last 6 years Saratoga Plan has coordinated a regional trails committee composed of trail advocates from many of the towns, villages and cities in our County. We took an active role in Saratoga County's green infrastructure plan. One of the important components of that green infrastructure plan, which was adopted unanimously by the Board of Supervisors, is the development of a countywide trail system. One that connects not only our town's together but connects residential areas with downtowns and our jobs. Last year the County completed the Zim Smith Trail from the Village of Round Lake down to Coons Crossing in Halfmoon. The Town of Malta had previously connected the trail all the way up to Shanantaha Park on Eastline Road near Curtis Lumber and the County is currently completing the section that goes from Curtis Industrial Park all the way up to the Village of Ballston Spa. Saratoga Plan has also been working with the NYSDOT who is constructing, as part of the Round Lake Bypass, a section that will go up through the bypass and come over to Route 67 on the Round Lake Bypass where the traffic is coming. With the assistance of Senator McDonald, the last half-mile connection into the Luther Forrest Technology Park is going to occur. So we are talking about a countywide trail system that essentially runs from the Village of Ballston Spa through the Village of Round Lake and connects into the Luther Forrest Trail system and at this point stops at Coons Crossing in Halfmoon. With only a few other missing pieces, we are going to be able to connect this trail system through the Saratoga Spa State Park, through Skidmore College, up through the Towns of Greenfield and Wilton to Moreau Lake State Park. So we are talking about an off-road trail system in Saratoga County that is well over 40 miles. The only missing connection at this point is the piece from Coons Crossing to the Elizabeth Street Ext. This railroad project gives us a wonderful opportunity to make that connection. We have worked and have met with the railroad and Mr. Bergeron with the Pan-AM Railway was kind enough to come and meet with us and we understand that the railroad right-of-way is very narrow between Coons Crossing and the Anthony Kill (Sacker Brook) but this is the only opportunity we have to make this connection and to connect essentially a 40-mile trail system into the City of Mechanicville. The city has done their open space and trail plan and it then connects to the Champlain Canalway Towpath, which is going from Waterford to Whitehall. So this is a very critical connection. The Town of Halfmoon is actually talking about something that is a countywide and even a much more regional issue for both economic development and for recreation. So as you review the project and as we work with the railroad to make to this happen, I hope you will all take this into

consideration. Mr. Becker stated the following: We are aware of the trailhead at Coons Crossing Road but until we determine the extent of what's going to happen on the property, I think at this point in time I really can't comment without a further study of the whole issue. Ms. Stokes stated I spoke with Mr. Mike McDonough and he gave me a contact and we do need to keep working with them but I think it is important that the Town Planning Board be involved in this discussion. Mr. Watts stated the following: Yes, the Town Planning Board just became aware of this. We will be looking at where this goes and how it fits in. I believe this would be a Town Board issue, a County Board of Supervisor's issue and a State issue as well along with money and feasibility studies and that is all part of what is a good thing if it works. Ms. Stokes stated the other part of the issue is with the increased traffic that is along Route 67, having this alternative transportation mode is critical. It will also give off road access to Luther Forest. Mr. Watts thanked Mrs. Stokes for her comments. Mr. Scott Miller, 31 Brookline Road, Ballston Spa, stated he would like to further Mrs. Stoke's comments and refer to the regional significance of the extension of the Zim Smith Trail. Mr. Miller wanted to show the applicants and the Planning Board a map that represents regional trails in the area and show the significance that the possibility of extending the Zim Smith has on connecting the regional trails. The trail corridor has a trail from Peebles Island all the way up to Saratoga's Battlefield Park. Also, the trail network goes from Coon's Crossing through Saratoga Springs and virtually into Moreau. There are also planned trails in various municipalities that connect to these trails that link to various population centers. The map does show three or four areas where there is no connection, a missing link to the trail system, and one is the extension of Zim Smith Trail through the railyard site. Mr. Miller stated that there are engineering problems and engineering solutions to make this connection viable and asks for consideration from the applicant on the important trail link. Mrs. Henrietta O'Grady, Churchhill Road read a letter to the Board (see Attachment #1). Mr. William Mackisey, 12 South Hollow Drive, Ballston Lake, stated he is the Chairperson for the Town of Clifton Park Trail System. Mr. Mackisey continued, we have over 26 miles of trails in Clifton Park and the trail connect many historical parts of the Town and the County. There is a tremendous opportunity to take advantage of a major connection. This trail connection would allow to go from Mechanicville, to the State Forest on Usher's Road, to the Wood Road Trail system and eventually you can get to the Vischer Ferry Historic and Nature Preserve Park. This railyard site hold a major link to this trail system. Mr. Mackisey stated that he is pro for the rail road expansion but wishes the Planning Board endorses a trail through this site. Mr. Becker stated that this is a new issue and at this time cannot specifically reply to the trail questions. Mr. Becker stated that he will look into this and further the discussion with his staff. Mr. Bruce Tanski, 11 Meyer Road, Clifton Park, stated that he has a couple of concerns. He stated that if the train track is moved to fifty feet to the property line and if the train goes off the track that it will not effect the property of the golf course. Another concern is if the railroad will clean up the mess that is along the property line including old rail ties and tires. A third concern is will the railroad place a fence along the property line to keep people entering the golf course. A fourth concern is golf balls entering the rail yard. Mr. Tanski stated that the inquiry about the trails should be considered. Mr. Tanski stated a good solution would be to move the tracks further from the property line and place the a trail corridor along side the property line. This would make a nice transition between the golf course and the railyard. Mr. Becker stated that we will look into each issue. Mr. Richard Butler, 9 Sawmill Road, Town of Stillwater stated that he has lived there all of his life and can remember the steam locomotives and the lights from the trains shining into his father's house. He stated that he respects all the attributes that the site has to offer and that the new proposed railyard will operate in a more environmentally friendly manner than the old. Mr. Butler stated that he has a request regarding the Tenendehowa to Route 67 has long been a no mans land and a receptor of trash and downkeep. He asked if the applicant could clean up this area as part of the site work. Mr.

Butler also asked if law enforcement will be part of regulating the speed of the tractor trailers. Overall he feels that it is a good idea and great use of the property. Mrs. Barbara Corsale, President of the Mechanicville Chamber of Commerce and is here representing their Board of Directors and are all in favor of this project. The Mechanicville Chamber of Commerce supports the project due to its opportunity to stimulate economic growth where jobs will be created not only in the railroad industry but also the warehousing industry. People who work here will live here and it will support both municipalities in their tax structure. She continued with a note from Carmon Decresente, a Board member and owner of Decresente Distributing Co., and he wishes to convey his total support for this endeavor as it will increase his opportunities with his company. Mayor Sylvester, City of Mechanicville, stated that he is in full favor of the project for its economic value to all of our Towns. Mayor Sylvester stated that he has 17 years experience with the railroad as an engineer and although there will be diesel fumes not as much if the trains were operating at full throttle. This railyard will be handling expensive commodities and will not be operating at high speeds. Mr. James Ruhl, 168 Wooddale Drive in Clifton Park, would like to summarize the trail inquiry. For years, rail roads have been complimentary to trails via the Rails to Trails initiative and now we have a break through opportunity to have Rails With Trails. This will satisfy the economics of the situation and at the same time promote the recreation opportunities that could count against the increase to truck traffic. Mr. Tom Richardson, 112 S. Fourth Street, Mechanicville, Supervisor for the City of Mechanicville, stated as far as the fire district is concerned, Hillcrest F.D. and Stillwater F.D. have worked together very closely protecting the surrounding communities including all of the rescue squads. Mr. Richardson stated the City of Mechanicville is very excited to have this opportunity to happen. Mr. Peter Aust, President of the Chamber of Southern Saratoga County read a letter (see Attachment #2). Mrs. Jeanette Anglin, 11B Fairway Drive, stated if there was the best view of this facility it is from my backyard. I bought my house because of the view and I realize that this facility is coming but one of the reasons our neighborhood met with the rail people was to have the rail people to see what the area looks like from our backyard. There is a lot of support for this facility but what everyone does not understand is the view from my bedroom, my view from my back deck and the constant noise. Our quality of life will be diminished and we are trying to work with the rail people to mitigate the negative impacts. We also believe that our property values will go down and the difficulty of trying to sell our property with this use in the back. I ask the Board to consider these feelings. Mr. Watts thanked Mrs. Anglin. Mr. Millis, 15C Fairway Drive, asked what is the next step procedurally in the process. Is there an opportunity that we can write in our comments or is this it. Mr. Watts stated that the Board will be looking for the rail roads comments on certain areas raised tonight. Mr. Watts stated that when the rail road went through the Federal Surface Transportation Board's review, there was no public hearing. There was a comment period of 30 days offered but at that time, the area residents were not aware of the project. This is why this Board felt a Public Informational Meeting to allow people to gather in a room and speak about the pending project was appropriate. This is why we expanded the notification area. Mr. Millis stated that is specific concern is over air quality and everyone up on Fairway Drive will smell the diesel. Mr. Watts stated after tonight's meeting will wait for the rail yard's response. Mr. Tom Campbell, Usher's Road, stated that he is concerned about traffic on Usher's Road. He stated that he heard the applicant that he would instruct their drivers of what routes to take. Mr. Campbell stated we are talking about 167 truck trips and that Ushers Road cannot handle any extra traffic. If there is even 10 percent of the 167 trucks, that would be far too many trucks on Ushers Road. Is there anything the Town of Halfmoon can do to stop the trucks using Ushers Road. Mr. Watts stated we cannot restrict trucks using a Town Road. The Town Board regularly petitions through the County for reduction of speed limits and petition the County Sheriff and State Police for increased patrols on problem roads. Mr. Watts stated that most of the increased truck

traffic from this proposal will not be on roads in our Town. Mrs. Pat Rushby, 47 Tabor Road, stated she has lived on Tabor Road since 1976 and back then it was a dirt road. The width and the curves of the road has not changed but what has happened is the traffic has increased dramatically including large trucks speeding. The rail crossing at Tabor and Ushers has always been a problem and wanted to know what problems will occur as this new facility is operating. Will there be long delays at the rail crossing at Tabor and Ushers with regards to emergency personnel and other safety issues. Mrs. Rushby stated why cannot there be any type of weight limits placed on these roads. Mrs. Murphy stated there are some limited mechanisms that the Town can utilize to limit the weight on a specific road but that is only from November to April or if the road is in a state of failure and a plan is set fourth to fix the road, the Town Board can place a weight limit on the road but that is only short term until the road is repaired. Mr. Watts asked if there was anyone else that wished to speak. Hearing none, Mr. Watts closed the Public Informational meeting at 9:14 PM. Mr. Watts the Board if they had any comments. Mr. Ruchlicki asked where the engineering firm, HDR, was from. Mr. Becker stated that HDR is a national engineering firm and we are working with the Boston and Albany office. Mr. Becker stated that they are a major transportation and highway civil, environmental engineering consultant firm. Mr. Ruchlicki asked how high are the proposed light poles. Mr. Becker stated the high mast light towers are a 100 ft high light tower that will light the body of the facility and the ones that are the supplemental lighting are on 40 ft high poles. Mr. Higgins asked why cannot the high mast poles be lower with more. Mr. Becker stated that the facility is trying to achieve its lighting needs at a minimal level. The study that was conducted deemed the 100 ft poles gave the best and most efficient lighting pattern for the site. Mr. Higgins stated the higher the pole the more visible they are from a further distance. Mr. Becker stated that there is a trade off where the fixtures used will give a downward cone that covers more ground area withno side or upper bleed. Mr. Berkowitz asked how high of an elevation are the homes that exist in Fairways. Mr. Becker stated the elevation of the rail yard facility is about 115 ft above sea level and the homes area at about a 235 elevation. Mr. Higgins stated that the presentation stated the freight is usually in a container. If it is not in a container, what is it in. Mr. Becker stated the intermodal freight sometimes has a trailer on wheels loaded on the train. What this facility will be is containers loaded on the train and there will be no wheeled trailers. Mr. Higgins stated that there will be no bulk, no salt, no garbage, no tankers or nothing like that but strictly containers and cars. Mr. Becker stated that is correct. Mr. Higgins stated a 3db increase per event, so what that means is when the 167 trucks go by their house each will be a 3 db event. Mr. Becker stated yes potentially each truck could be an increase 3db event. Mr. Higgins stated the 65 db is at what distance. Mr. Becker stated that is a day/night level. Mr. Higgins asked is that measured at the property level or up at the Fairways. Mr. Becker stated that it is a calculated distance that varies with the topography so that a contour of the 65 db day/night level is plotted as one of the noise exhibits provided to the Board. Mr. Higgins asked if it could more the 65 db at the property line. Mr. Becker stated potentially it could be more or less. Mr. Higgins stated that the levels were talked about the level at 2012 and is that the full buildout year. Mr. Becker stated all analysis was done at the 2012 numbers that are the areas we highlighted at part of this site plan and nothing to do with the future areas. On the site plan, there are areas identified as future automotive and intermodal area that are long term planning but at this point are not anticipated at this time. If the expansion was to take place, we will come back to this Board with that additional information. Mr. Ruchlicki stated that it has been stated that all of the trucks will head west and to the Northway. Will any of the trucks head east on Route 67 to Route 40 to head toward Vermont. Mr. Becker stated that the majority of the traffic will head west to the Northway but there may be some regionalized distribution that would head north and east of the site but the vast majority will be headed west out of the site. Mr. Becker stated we cannot prohibit freight so if a major distribution center is

built to the east of the site, we cannot prohibit the trucks from going there. Mr. Watts stated that may happen as the Town has two new Light Industrial parks located on Route 146 and it is anticipated that there will be spin off businesses created from the rail yard. Mr. Watts stated that NYSDOT may also raise some concerns over the truck traffic. Mr. Watts thanked the applicant for his presentation. Mr. Watts informed the public that the information is available at the Town of Halfmoon Planning Department if any one wishes to review the material.

*Attachment #1*

April 27, 2009

STATEMENT OF THE HALFMOON TRAILS ADVISORY COMMITTEE

Town of Waterford to Moreau Lake State Park – conceivable, yes. Doable, yes if a few minor links can be developed with the Zim Smith Trail acting as the back bone of this county wide plan.

Zim Smith Trail was conceived in the early 1990's by a group of trail advocates. The Saratoga Heritage Trail Committee along with the Saratoga Planning Dept. pursued a Transportation Enhancement Grant. After two tries, a large grant was awarded to the County in 2002. Plans to construct a cross county trail over the Saratoga Sewer Line went into effect. The Town of Malta constructed their portion of the trail to connect with its town park

Now that the Zim Smith Trail is finally constructed and open, it has become a very popular place. Another organization, Saratoga PLAN, has actively taken the lead on making connections to Zim Smith. An extension of the trail to the City of Mechanicville was looked at as a possibility. Why continue the Zim to Mechanicville? The answer is simple – to connect with the planned north/south Champlain Canal trail corridor. Another giant step could be created.

Trails have become a major recreation and alternative transportation route. Local surveys taken have indicated that people desire trails. Connecting the City of Mechanicville to the county trail system is beneficial to all of the communities along the spine of Zim Smith.

The Town of Halfmoon Trails Advisory Committee, which I represent, has determined that an extension of Zim Smith is desirable and in accordance with its Trails Master Plan adopted by the Town of Halfmoon in 2006. The Saratoga Planning Dept. has made comments about the railroad project consistent with extending the Zim Smith Trail into Mechanicville at this time.

**For the public record, we urge the inclusion of a 10' wide Right-of-Way from Coons Crossing in the Town of Halfmoon southerly into the Mechanicville city line. Details of a Zim Smith extension can be worked out as the intermodal and automotive transfer project progresses.**

Thank you.

Henrietta J. O'Grady



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15 Park Avenue  
 Suite Seven  
 P.O. Box 399  
 Clifton Park  
 New York 12065



*Read @ 4-27-09 PB meet.  
 Public Informational meet!  
 Attachment #2*

April 27, 2009

Mr. Steve Watts, Chairman  
 Town of Halfmoon Planning Board  
 2 Halfmoon Town Plaza  
 Halfmoon, NY 12065

Dear Mr. Watts,

The Chamber of Southern Saratoga County (The Chamber), the organization representing the business community throughout southern Saratoga County, including a significant number in the town of Halfmoon, supports the Pan Am Southern proposal for the redevelopment of the former rail-yard within the town. This position clearly recognizes the challenges the Town Planning Board faces in balancing economic vitality and quality of life, and takes into account the impact of this decision on the businesses and residents of Halfmoon, Mechanicville, Stillwater and other surrounding communities.

The Chamber urges the Town move forward with the process of visionary due diligence to fairly mitigate the local impacts this project may have on the immediate area. Realizing that a balance needs to be achieved for any project to be both economically sustainable and community friendly, the Chamber believes that with sound planning, this specific project can provide both. In today's economic environment, a \$40. million construction project will provide a much needed catalyst for our regions construction and trades industries. In addition, with the creation of an initial 35-40 jobs with a anticipated contingent of 85 at full build-out, this project will provide economic stability in and around this immediate area for the foreseeable future. Taking into consideration the anticipated multiplier that will create additional warehouse/distribution facilities requiring both construction and permanent staffing, the Pan Am Southern project will be a significant driver of economic development in and around the town of Halfmoon for years to come. This type of development, one that will provide sustaining, good paying jobs into the future is what our region is in need of and therefore, we fully support this application.

We remain, as you do, committed to maintaining the economic vitality of our region and improving the quality of life for both our businesses and residents. The approval of this project, after careful review, is of significant importance to our region's commerce and the Chamber urges the Planning Board to provide leadership by its unanimous affirmation of this project.

Thank you for your consideration of our position.

Very truly yours,

Peter L. Aust  
 President & CEO



[www.southernsaratoga.org](http://www.southernsaratoga.org)

This item was tabled for further review and response to the public comment.

Mr. Watts recessed for 5 minutes to clear the room.

**New Business:**

**09.015 NB Clifton Park Auto Body, 1627 Route 9 – Change of Tenant**

Mr. Dan Cummings stated that he owns the property where Clifton Park Auto Body is located and is in front of the Board for a Change of Tenant approval. Mr. Cummings stated the business name is the same but is a new owner. Mr. Cummings stated there is auto body and auto repair use along with a tow service. Mr. Watts asked if there were any used car sales being proposed. Mr. Cummings stated yes there is a used car sales use also. Mr. Watts stated that nothing about the tow service is mentioned with the application. Mr. Cummings stated that the tow service is a new use. Mr. Watts stated that it needs to be included in the application. Mr. Nadeau asked who was the new owner. Mr. Watts stated the owner is Mr. Cummings and the new owner is Mr. Joe Moffre. Mr. Higgins stated that the Board requests that the parking be designated for each use including the number of used cars to be sold. Mr. Berkowitz asked if the site will be lit. Mr. Cummings stated there are existing lights there but the used car sales part is usually people who know Joe tell the car they are looking for and Joe finds it and sells it to them. Mr. Berkowitz asked if there would be an actual sales lot. Not really because it is more a auto body and repair lot. Mr. Higgins stated we need more specific information on the used cars and that the Board cannot leave it open-ended. Mr. Watts stated asked how long has Mr. Moffre been operating at the site. Mr. Cummings stated since January. Mr. Watts stated that the application should have been brought the Board much sooner. Mr. Watts stated that there needs to be more specific information on the site plan and in the narrative. Mr. Watts asked the applicant to contact the Planning Department to go over what is needed to complete the application. Mr. Nadeau stated that the owner should come before the Board to answer some of the questions.

This item was tabled for the applicant to provide a revised site plan and narrative to reflect the proposed uses.

**09.037 NB Upstate Priority Insurance Agency, 12 Corporate Drive – Change of Tenant**

Mr. Brian Sleasman, of ABD Engineers and Surveyors, stated the following: He is here tonight for a proposed change of tenant at 12 Corporate Drive. There is 1,900 SF of vacant office space there and Upstate Priority wishes to lease the area to operate their insurance business. Most of their business is performed over the phone and FAX and it is not anticipated any client visitation to the site. There are only 5 employees.

Mr. Berkowitz made a motion to approve the change of tenant application for Upstate Priority Insurance Agency. Mr. Higgins seconded. Motion carried.

**09.038 NB Curves, 15 Route 236 (Woods Plaza) – Sign**

Mrs. Kim Sampson, the applicant, stated the following: She is here tonight for a sign approval for here newly re-located business at Wood's Plaza. She stated that she is just changing out the face of an existing sign box.

Mr. Roberts made a motion to approve the sign application for Curves. Mr. Nadeau seconded. Motion carried.

Mr. Ruchlicki made a motion to adjourn the April 27, 2009 Planning Board Meeting at 9:28 pm. Mr. Berkowitz seconded. Motion carried.

Respectfully submitted,  
Milly Pascuzzi  
Planning Department Secretary